

Jan 26 2006

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CLARENCE MADDOX  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - MIAMI

MIAMI DIVISION

CASE NO. 05-22285-CIV-GOLD

GUSTAVO A. MORALES

Plaintiff,

v.

CITIGROUP f/k/a THE NATIONAL CITY  
BANK OF NEW YORK,

Defendant.

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**AGREED MOTION FOR ENLARGEMENT OF TIME  
TO FILE REPLY IN SUPPORT OF MOTION TO TRANSFER VENUE**

Defendant, Citigroup, Inc. ("Citigroup"), moves for an enlargement of time up through and including February 10, 2006, to file it's reply to Plaintiff's "Response to Citigroup's Motion to Transfer Venue" and in support thereof states as follows:

1. Plaintiff served it's response to Citigroup's Motion to Transfer Venue via U.S. Mail on January 20, 2006.
2. Undersigned counsel did not receive Plaintiff's response until January 25, 2006. Citigroup's reply is due January 30, 2006.
3. Undersigned counsel is currently engaged in extensive preparations for a previously planned international business trip and will not be returning to the United States until February 1, 2006.
4. This motion is not interposed for the purpose of delay.

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5. Plaintiff will not be prejudiced by this Court granting an enlargement of time to reply to Plaintiff's response to Citigroup's Motion to Transfer Venue, and has agreed to the relief requested in this motion.

WHEREFORE, Defendant Citigroup respectfully requests entry of an Order enlarging the time to respond to Plaintiff's response to Citigroup's Motion to Transfer Venue, up until and including February 10, 2006.

**CERTIFICATE OF COUNSEL**

Undersigned counsel contacted counsel for the Plaintiff who indicated that he does not have any objection to the relief sought in the present motion.

Dated: January 26, 2006.

Respectfully submitted,

/s/ Elena M. Marlow  
**ASTIGARRAGA DAVIS MULLINS &  
GROSSMAN, P.A.**  
José I. Astigarraga & Elena M. Marlow  
Fla. Bar No. 263508 & 139858  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to **Omar Ortega, Esq.**, Dorta & Ortega, P.A., 2222 Ponce de Leon Blvd., Suite 306, Coral Gables, FL 33134 this 26<sup>th</sup> day of January 2006.

/s/ Elena M. Marlow

Elena M. Marlow

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**ORDER GRANTING CITIGROUP'S  
AGREED MOTION FOR ENLARGEMENT OF TIME  
TO FILE REPLY IN SUPPORT OF MOTION TO TRANSFER VENUE**

THIS CAUSE came before the Court upon Citigroup's Agreed Motion for Enlargement of Time to file its reply to Plaintiff's "Response to Citigroup's Motion to Transfer Venue". The Court having considered the Motion, and otherwise being fully advised in the premises, it is hereby ORDERED AND ADJUDGED that:

1. Citigroup's Motion for Enlargement of Time to file its reply to Plaintiff's "Response to Citigroup's Motion to Transfer Venue" is GRANTED.
2. Citigroup shall have up through and including February 10, 2006 to file its reply to Plaintiff's "Response to Citigroup's Motion to Transfer Venue".

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DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida

this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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ALAN S. GOLD  
United States District Judge  
Southern District of Florida

Copies furnished to:  
José I. Astigarraga, Esq.  
Omar Ortega, Esq.